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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/824,305 | 04/02/2001 | Umesh Mahajan | 21710-67784 | 9391 |

28062 7590 05/02/2007
BUCKLEY, MASCHOFF & TALWALKAR LLC
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NEW CANAAN, CT 06840

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| EXAMINER |
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GREIMEL, JOCELYN

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| ART UNIT | PAPER NUMBER |
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3693

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| MAIL DATE | DELIVERY MODE |
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05/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 09/824,305 | Applicant(s) MAHAJAN ET AL. | |
| | Examiner Jocelyn Greimel | Art Unit 3693 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8, 20, 26, 28-30, 32 and 33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8, 20, 26, 28-30, 32 and 33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.117(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission on 29 January 2007 has been entered.
2. Please note the Examiner on this application has changed. Please make submissions to the current examiner, Examiner Greimel.

Status of Claims

3. Claims 8, 20, 26, 28-30 and 32-33 are currently pending. Claims 1-7, 9-19, 21-25, 27 and 31 have been canceled. Claims 8 and 20 are currently amended. Claims 26, 28-30 and 32-33 are as previously presented. Claims 8 and 20 are independent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 8, 20, 26, 28-30 and 32-33 rejected under 35 U.S.C. 103(a) as being unpatentable over Buist (U.S. Patent No. 6,408,282) in view of Kemp, II et al (US Patent No. 6,766,304 B2, hereinafter Kemp). In reference to claims 8 and 20, Buist discloses a method, system and apparatus for processing financial transactions comprising:

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- a. A presentation layer further comprising a workspace,
 - i. wherein the workspace further comprises at least one sub interface, which sub interface is selected from the group comprising an order entry interface, an order modification interface, an order monitoring interface, an instrument monitoring interface, and a market monitoring interface (col. 2, line 60+; col. 3, line 8+; col. 11, line 15+);

Buist does not disclose the method, system and apparatus wherein:

- b. At least one intermediate component layer for supplying information to the workspace and transferring information from the interface,
 - ii. wherein said intermediate component layer is comprised of a plurality of intermediate components selected from a predetermined group of intermediate components, wherein said selection occurs at least in part based upon the sub interface or sub interfaces chosen;
 - (1) and said intermediate components of which said intermediate layer is comprised including:
 - (a) a first intermediate component that provides a cache for information concerning financial instruments; and
 - (b) a second intermediate component that stores user preferences for the workspace; and
- c. At least one information source layer for supplying information to said intermediate component and transferring information from said intermediate component.

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However, Kemp discloses the method, system and apparatus above (figures 3-4 and col. 9). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify the financial processing system of Buist with the intermediate component layer and information source layer of Kemp because it would allow the user more flexibility in making financial transactions.

6. In reference to claims 26, 28-30 and 32-33, Buist discloses a method, system and apparatus for processing financial transactions comprising:

d. A method and apparatus wherein the sub interface further comprises a window (col. 9, line 10+ - col. 26; *Buist discloses the user navigating through various windows to execute the system applications.*)

e. An apparatus wherein the workspace is user configurable (col. 8, line 48+; *The servers interact with the user workstations and store information relating to the users' accounts and portfolios as well as other data. This information is updated. The function buttons can be used to customize the GUI.*);

f. An apparatus wherein said workspace has a default configuration (col. 11 - 12);

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g. A method wherein the method further comprises the step of trading a financial instrument through said user interface (col. 2, line 60+; *The system and method... supports trading of securities over the Internet...*);

h. A method wherein the step of trading financial instruments through said user interface further comprises trading the instrument through aggregate pricing of the instrument (col. 9, line 10 – col. 13, line 13; *The columns discuss the trading of securities and the pricing.*)

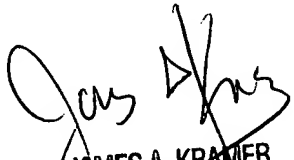
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached on Monday - Friday 8:30 AM - 4:30 PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jocelyn Greimel
Examiner, Art Unit 3693
April 19, 2007

 4/20/07
JAMES A. KRAMER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600